

Amendment and Response

Applicant: Heinrich Schenk

Serial No.: 10/799,353

Filed: Mar. 12, 2004

Docket No.: 2004P50220US

Title: METHOD AND APPARATUS FOR REDUCING THE CREST FACTOR OF A SIGNAL

REMARKS

The following remarks are made in response to the Non-Final Office Action mailed July 5, 2007. Claims 1, 7-13, 18, 24-30 and 32-34 have been allowed. Claims 2-6, 14-17, 19-23 and 31 were rejected. With this Response, claims 2, 6, 14, 15, 19, and 31 have been amended. Claims 1-34 remain pending in the application and are presented for reconsideration and allowance.

Claim Rejections under 35 U.S.C. § 112

The Examiner rejected claims 2-6, 14-17, 19-23 and 31 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

The Examiner rejected claims 2, 6, and 15 for being inconsistent with claim 1 and claim 19 being inconsistent with claim 18, and recommended that claims 2, 6, 15, and 19 be rewritten in independent form. Applicant has accordingly amended claims 2, 6, 15, and 19 into independent form.

The Examiner rejected claim 14 for being inconsistent with claim 1 and claim 31 for being inconsistent with claim 18. Applicant has accordingly amended claims 14 and 31 into independent form and clarified the language of these claims.

The Examiner rejected claims 3 and 20 as being mis-descriptive because the Examiner stated that there is only one iteration for each of the plurality of partial correction signals. Applicant, however, submits that as explained in the Present Specification (e.g., at page 10, step 5 of originally filed specification). There can be more than one iteration for each partial correction signal (i.e., for each frequency). During the calculation, there can be one iteration for a corresponding greater plurality of partial correction signals, wherein some of the partial correction signals have the same frequency. Since, however, a plurality of signals having the same frequency may also be seen as one signal having this frequency with a correspondingly chosen amplitude, the recitations of claims 3 and 20 are correct. Therefore, Applicant respectfully submits that claims 3 and 20 are clearly defined and are in form for allowance.

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In view of the above, claims 2-6, 14-17, 19-23 and 31 are believed to be in form for allowance. Therefore, Applicant respectfully requests that rejections to these claims under 35 U.S.C. §112, second paragraph, be reconsidered, and that the rejections be removed and these claims be allowed.

Allowable Subject Matter

Claims 1, 7-13, 18, 24-30 and 32-34 are allowed.

The Examiner objected to claims 2-6, 14-17, 19-23, and 31 would be allowable if rewritten or amended to overcome the rejections under 35 U.S.C. §112, second paragraph, set forth in the Office action. See above amendments and remarks that overcome these under 35 U.S.C. §112, second paragraph rejections and accordingly Applicant respectfully submits that claims 2-6, 14-17, 19-23, and 31 are now in allowable form.

In the Drawings

Applicant has submitted "Replacement Sheets" of Figures that are now consistent with specification as amended in the preliminary amendment filed June 21, 2004.

Replacement Specification

The Examiner suggested that Applicant submit a substitute specification for the sake of clarity. Accordingly, Applicant will be submitting a substitute specification at a later date.

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CONCLUSION

In view of the above, Applicant respectfully submits that pending claims 1-34 are in form for allowance and are not taught or suggested by the cited references. Therefore, reconsideration and withdrawal of the rejections and allowance of claims 1-34 are respectfully requested.

Applicants hereby authorize the Commissioner for Patents to charge Deposit Account No. 50-0471 in the amount of \$1,050.00 to cover the fees as set forth under 37 C.F.R. 1.16(h)(i).

The Examiner is invited to contact the Applicant's representative at the below-listed telephone numbers to facilitate prosecution of this application.

Any inquiry regarding this Amendment and Response should be directed to Paul P. Kempf at (612) 767-2502, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

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Respectfully submitted,

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PGB:dmd:cmj

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